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Fax (703) 872-9306 Pages 10

Date October 6, 2004

From Susan M. Pellegrino

Fax (203) 812-6459 Tel. (203) 812-6450

Re U.S. Patent Application Serial No.: 10/009,856

Bayer Pharmaceuticals
Corporation

400 Morgan Lane
West Haven, CT 06516

Phone: (203) 812-6450

Fax: (203) 812-6459

E-mail:

susan.pellegrino.b@bayer.com

Documents transmitted to the U.S. Patent and Trademark Office

- 1) Fee Transmittal [IN DUPLICATE]
- 2) Reply to Office Action mailed April 6, 2004
- 3) Certificate of Transmission under 37 CFR 1.8
- 4) Fax Cover Sheet

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Susan M. Pellegrino

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Susan M. Pellegrino, Reg. No. 48,972

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 980.00**Complete if Known**

Application Number	10/009,856
Filing Date	April 10, 2002
First Named Inventor	Olaf Webber
Examiner Name	Shanon A. Foley
Art Unit	1648
Attorney Docket No.	LeA 33 771

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
13-3372Deposit Account Name
Jeffrey M. Greenman

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims		-20** =		X			
Multiple Dependent		-3** =		X			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	980.00
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
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1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 980.00

(Complete if applicable)

SUBMITTED BY

Name (Print/Type)

Susan M. Pellegrino

Registration No.

48,972

Telephone

(203) 812-6450

Signature

Susan M. Pellegrino

Date

10/06/2004

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DUPLICATE

PTO/SB/17 (10-03)

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13-3372

Jeffrey M. Greenman

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SUBTOTAL (3) (\$ 980.00)

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SUBMITTED BYName (Print/Type) **Susan M. Pellegrino**

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SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket No. LeA 33 771

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Weber, et al.

Serial No.: 10/009,856

Group Art Unit: 1648

Filed: April 10, 2002

Examiner: Shanon A. Foley

For: Organ, Tissue and Cell-Specific Immuno-Therapeutic for Chronic Viral Infections and Inflammatory, Degenerative and Proliferative Diseases, in Particular of the Liver, and for Cancer, Based on a Recombinant Parapox Virus

RECEIVED
CENTRAL FAX CENTER
OCT 06 2004

CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being facsimile transmitted, on the date shown below, to the U.S. Patent and Trademark Office at (703) 872-9306.

Date: October 6, 2004

Susan M. Pellegrino
Susan M. Pellegrino

REPLY AND AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action mailed April 6, 2004 (Paper No. 32104), Applicants respectfully request reconsideration and reexamination of the present application in view of the following amendments and remarks.

Applicants respectfully petition the Commissioner for Patents under the provisions of 37 C.F.R. 1.136(a) to extend the time for filing a response to the Office Action mailed April 6, 2004 for three (3) months from July 6, 2004 to October 6, 2004. Please charge the fee for the three-month extension of time to Deposit Account No. 13-3372.

AMENDMENTS

IN THE SPECIFICATION:

Kindly amend the specification as described on page 5 of this amendment.

IN THE CLAIMS:

Kindly amend the claims as follows:

Please amend claims 1 and 2, as shown in the attached sheets (page 6).